

**United States Environmental Protection Agency  
Region 5**

<b>IN THE MATTER OF:</b>	)	
	)	
3M Company Specialty	)	<b>FINDING OF VIOLATION</b>
Materials Manufacturing	)	
Division	)	<b>EPA-5-04-IL-04</b>
Cordova, Illinois	)	
	)	
	)	
Proceedings Pursuant to	)	
the Clean Air Act,	)	
42 U.S.C. §§ 7401 <u>et seq.</u>		

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**FINDING OF VIOLATION**

The United States Environmental Protection Agency (U.S. EPA) finds that 3M Company is violating Section 112 of the Clean Air Act, 42 U.S.C. § 7412. Specifically, 3M Company is violating the National Emissions Standards for Hazardous Air Pollutants (NESHAP) for Pharmaceutical Production at 40 C.F.R. Part 63, Subpart GGG as follows:

**Regulatory Authority**

1. The NESHAP for Pharmaceutical Production defines an affected source as a source that: a) manufactures a pharmaceutical product; b) is located at a plant site that is a major source as defined in Section 112(a) of the Clean Air Act (CAA) and; c) processes, uses, or produces Hazardous Air Pollutants (HAPs).

2. The NESHAP for Pharmaceutical Production was proposed on April 2, 1997 and became final on September 21, 1998. The owner or operator of an existing affected source must comply with the provisions of this subpart no later than October 21, 2002. 40 C.F.R. § 63.1250(f)(1).

3. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(A), requires an owner or operator to determine uncontrolled HAP emissions from vapor displacement due to transfer of material.

4. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(B), requires an owner or operator to determine uncontrolled HAP emissions from purging.

5. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(C), requires an

owner or operator to determine uncontrolled HAP emissions from heating.

6. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(D), requires an owner or operator to determine uncontrolled HAP emissions from depressurization.

7. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(E), requires an owner or operator to determine uncontrolled HAP emissions from vacuum systems.

8. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(F), requires an owner or operator to determine uncontrolled HAP emissions from gas evolution.

9. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(G), requires an owner or operator to determine uncontrolled HAP emissions from air drying.

10. The NESHAP, at 40 C.F.R. § 63.1257(d)(2)(i)(H), requires an owner or operator to determine uncontrolled HAP emissions from empty vessel purging.

11. The NESHAP, at 40 C.F.R. § 63.1257(d)(3)(i)(B), requires an owner or operator to determine controlled HAP emissions from a condenser acting as a control device using exhaust gas temperature measurements and calculations for each batch emission episode.

### **Factual Background**

12. 3M Company owns and operates a chemical plant at 22614 Route 84 North in Cordova, Illinois 61242.

13. 3M Company is subject to the requirements at 40 C.F.R. Part 63 Subpart GGG.

14. 3M Company has two "burden centers" which are subject to the Pharmaceutical MACT, BC-34 and BC-3A.

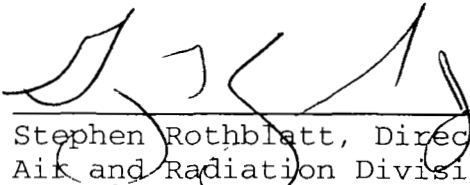
15. 3M Company submitted an incomplete Notification of Compliance Status Report (NOCSR) on March 20, 2003 to U.S. EPA.

16. U.S. EPA conducted inspections of 3M company on June 2-3, 2003 and October 22, 2003.

**Violations: Emission Calculation**

17. 3M Company has modeled the Pharmaceutical-MACT processes, Cordran, Ioban, Duraprep Step 1, DuraPrep Step 2, and Duraprep Step 3, incorrectly in its emission model software. This constitutes violations of 40 C.F.R. § 63.1257(d)(2)(i)(A), 40 C.F.R. § 63.1257(d)(2)(i)(B), 40 C.F.R. § 63.1257(d)(2)(i)(C), 40 C.F.R. § 63.1257(d)(2)(i)(D), 40 C.F.R. § 63.1257(d)(2)(i)(E), 40 C.F.R. § 63.1257(d)(2)(i)(F), 40 C.F.R. § 63.1257(d)(2)(i)(G), 40 C.F.R. § 63.1257(d)(2)(i)(H), and 40 C.F.R. § 63.1257(d)(3)(i)(B).

11/28/03  
Date

  
Stephen Rothblatt, Director  
Air and Radiation Division

**CERTIFICATE OF MAILING**

I, Shanee Rucker, certify that I sent a Finding of Violation, No. EPA-5-04-IL-04, by Certified Mail, Return Receipt Requested, to:

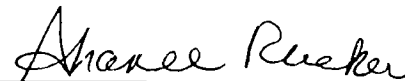
Ken Ramm, Environmental, Health, Safety  
and Regulatory Manager  
3M Company Specialty Materials Manufacturing Division  
22614 Route 84 North  
Cordova, Illinois 61242

I also certify that I sent copies of the Finding of Violation by first class mail to:

Julie Armitage, Section Manager  
Compliance and Systems Management Section  
Illinois Environmental Protection Agency  
P.O. Box 19506  
Springfield, Illinois 62794-9506

Mike Knobloch, District Engineer  
Illinois Environmental Protection Agency  
1630 - 5<sup>th</sup> Avenue  
Moline, Illinois 61265

on the 1<sup>st</sup> day of December, 2003.

  
Shanee Rucker,  
Administrative Program Assistant  
AECAS, (MI/WI)

CERTIFIED MAIL RECEIPT NUMBER: 7001032000002960862